

United States Bankruptcy Court
Southern District of IndianaIn re:
Eastern Livestock Co., LLC
DebtorCase No. 10-93904-BHL
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0756-4

User: tballard
Form ID: pdfOrderPage 1 of 2
Total Noticed: 7

Date Rcvd: Aug 31, 2012

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 02, 2012.

cr +Bovine Medical Associates, LLC, 1500 Soper Road, Carlisle, KY 40311-8083
 adb +Eastern Livestock Co., LLC, 135 W. Market Street, New Albany, IN 47150-3561
 op +Greenebaum Doll & McDonald PLLC, 3500 National City Tower, 101 South Fifth Street, Louisville, KY 40202-3157
 ptcrd +Ike's Trucking, Inc., Ike and Cherie Jacobs, 3087 Ervin Town Rd., Castlewood, VA 24224-9686
 op National Cattlemen's Beef Association, Alice Devine, Devine & Donley, LLC, 534 S KS Ave Suite 1420, Topeka, KA 66603
 op +Southeastern Livestock Network LLC, 176 Pasadena Drive, Lexington, KY 40503-2900

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 aty E-mail/Text: asr@btclaw.com Aug 31 2012 23:27:25 Ashley S Rusher,
 Blanco Tackaberry & Matamoros PA, PO Drawer 25008, Winston-Salem, NC 27114-5008
 TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

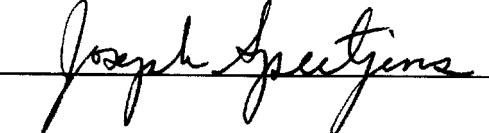
Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2012

Signature:



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Page 2 of 2
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 31, 2012 at the address(es) listed below:
NONE.

TOTAL: 0



Basil H. Lorch III
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

In re:)
EASTERN LIVESTOCK CO., LLC,) Case No. 10-93904-BHL-11
Debtor)

)

**ORDER ON OBJECTIONS TO AND
MOTION TO STRIKE THE TRUSTEE'S REPORT**

This matter came before the Court on (1) *the Report of the Trustee, James A. Knauer Regarding Investigation and Analysis of Potential Claims Against Fifth Third Bank* (“Trustee’s Report”); (2) *the Objections to the Trustee’s Report* filed by Superior Livestock Auction, Inc. (“Superior”) and First Bank and Trust Company (“First Bank”); (3) the *Motions to Strike the Trustee’s Report* filed by Superior and First Bank; (4) the *Joiners to Objections to Trustee’s Report* filed by CPC Livestock, Bluegrass Stockyards East, LLC, Bluegrass Stockyards, LLC, Bluegrass-Maysville Stockyards, LLC, Bluegrass Stockyards of Richmond, LLC, Bluegrass South Livestock Market, LLC, Bluegrass Stockyards of Campbellsville, LLC, East Tennessee Livestock Center, Inc., Southeast Livestock Exchange, LLC, and Piedmont Livestock Company, Inc. and Laurel Livestock;

(5) the *Comments and Adoption by Hoover Hull LLP of the Trustee's Report*; (6) the *Reply to Comments and Adoption by Hoover Hull LLP of Trustee's Report* filed by Superior; (7) the *Trustee's Response to Objections to and Motions to Strike the Trustee's Report*; and (8) the *Reply by Superior to Trustee's Response to Objections to and Motions to Strike the Trustee's Report*.

A hearing was held on August 20, 2012, at which time testimony and evidence was presented by the parties. The Court, having considered the foregoing, finds no basis for striking the Trustee's Report. As a fiduciary to the estate, the Trustee is charged with the duty to evaluate the potential claims against Fifth Third. There was nothing improper about the Trustee submitting the Report and summarizing his conclusions based on Special Counsel's investigation of potential claims against Fifth Third. Furthermore, the Trustee's Report is not a pleading nor is it a prohibited solicitation of votes under 11 U.S.C. § 1125(b).

The Objections to the Trustee's Report are, accordingly, **OVERRULED** and the Motions to Strike are **DENIED**. To the extent, however, that the parties have raised questions as to the neutrality of the report and possible bias in favor of the Trustee's proposed plan, those claims will be addressed at the hearing on the Disclosure Statement, currently scheduled on September 7, 2012, at 9:30 a.m., to insure that creditors have complete and accurate information before voting on the plan.

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